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IDENTICAL LETTERS DATED 16 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 September 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, conveying Iraq's comments on Security Council resolution 1129 (1997). In the letter, Iraq reaffirms the need to respect the principle of parallelism between the flow of Iraqi petroleum and the provision of humanitarian goods to Iraq, and calls on the United States and the United Kingdom to desist from hindering the smooth and speedy approval of contracts.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Identical letters dated 16 September 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General and to the President of the Security Council

Having examined Security Council resolution 1129 (1997) of 12 September 1997, we should like to make the following comments:

When resolution 986 (1995) was adopted, many Council members characterized it as respecting humanitarian principles, citing as evidence of this its second and third preambular paragraphs, in which the Council states that it is "concerned by the serious nutritional and health situation of the Iraqi population" and that it is "convinced of the need ... to provide for the humanitarian needs of the Iraqi people". Moreover, paragraph 2 of the memorandum of understanding between the Secretariat of the United Nations and the Government of Iraq on the implementation of that resolution (S/1996/356) states that the distribution plan referred to in paragraph 8 (a) (ii) of resolution 986 (1995), which has to be approved by the Secretary-General, constitutes "an important element in the implementation of the resolution".

Accordingly, when we constantly stress the overriding need for compliance with the principle of parallelism between the sale of petroleum and the provision of the food, medicine and other humanitarian needs included in the procurement and distribution plan, we do so for sound legal and logical reasons, since the proceeds from the sale of petroleum is to be used to purchase supplies with a view to distributing them quickly to the entire population of Iraq, thereby ensuring that all the elements of resolution 986 (1995) are implemented simultaneously.

In focusing its attention on the flow of petroleum, as was recently the case in the discussions that led to the adoption of resolution 1129 (1997), the Security Council has deviated from the basic objective of the oil-for-food formula by ignoring its most important elements. This cannot be accepted by any fair-minded person. In this regard, it is most regrettable that the United States and the United Kingdom recently prevented the other members of the Security Council from applying the principle of parallelism; this has increased the time lag between the export of Iraqi petroleum and the provision of humanitarian supplies to Iraq.

In paragraph 56 of his recent report (S/1997/685), the Secretary-General describes this situation very clearly. He states that uncertainties in the arrival of food and other items have caused great difficulties, particularly in the agricultural and health sectors. He urges all parties involved to devote renewed effort to ensuring that the processing, approval and delivery of humanitarian goods is carried out expeditiously in order to minimize the technical difficulties encountered in the implementation of the first distribution plan. In paragraph 19 of the report, the Secretary-General points out that in the water and sanitation, electricity, education and agricultural sectors no supplies have yet arrived.

Although more than 100 days have elapsed since the end of the first phase of the procurement and distribution plan, the secretariat of the Security

Council Committee established by resolution 661 (1990) still has around 60 contracts that it has yet to process and circulate to Committee members. More than 70 contracts are still on hold at the request of the representatives of the United States and the United Kingdom, and these countries have blocked a further 21 contracts.

Given this clear picture, any reasonable person cannot but reject the claims of the representatives of the United States and the United Kingdom that they strove for the adoption of Security Council resolution 1129 (1997) in their desire to meet the needs of the Iraqi people. This claim is an empty one, and it completely contradicts the reality that we have just described in facts and figures in this letter.

The representatives of the United States and the United Kingdom have ignored the fact that Iraq is not responsible for any shortcomings or defects in the drafting of Security Council resolution 1111 (1997) or for any improper implementation of Council resolution 986 (1995). The objective of the United States and the United Kingdom, which sponsored the draft resolution that was adopted as Council resolution 1129 (1997), does not in any way proceed from the humanitarian considerations referred to by the representatives of those two countries at the meeting of the Council held on 12 September 1997. Their basic and sole objective was to achieve narrow political objectives and to reiterate groundless allegations that are refuted by all the facts of the implementation of the first phase of the memorandum of understanding and the procurement and distribution plan, some of which I have referred to in this letter.

Clearly, the important point now is that there should be a verdict during the coming weeks on the extent of the credibility of the Security Council and in particular on the credibility of two of its members, namely the United States and the United Kingdom, in complying with the principle of parallelism between the flow of Iraqi petroleum and the provision of humanitarian items and goods to Iraq, particularly when the Council has acknowledged the incorrect and unacceptable situation relating to the delay in the importation of humanitarian goods into Iraq as explained in the Secretary-General's report (S/1997/685). Without doubt, the positions of the United States and the United Kingdom will be judged on the basis of the conduct of their representatives in the Security Council Committee established by resolution 661 (1990) because it is they who are obstructing the smooth approval of contracts for the provision of humanitarian items to Iraq. These countries must change their methods of dealing with pending first-phase contracts and the contracts to be submitted for the second phase by desisting from obstructing the smooth and rapid approval of contracts, because this is what is required of them by the principle of parallelism and balance between the flow of petroleum and the provision of humanitarian goods to Iraq in accordance with the procurement plan approved by the Secretary-General. We hope that the members of the Council will observe this conduct closely.

I should be grateful if you would have this letter brought to the attention of all members of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs